IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO: 10343 of 2005

Between:

Sree Seetharama High School Matwada, Warangal, rep by Correspondent Sri A.G.K. Murthy, S/o Dakshinamurthy

..... PETITIONER

AND

The District Educational Officer, Warangal District Subedhari, Hanamkonda, Warangal

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ order or Direction more particularly one in the nature of a writ of Mandamus, directing the Respondent herein to nominate one of the Deputy Education Officers and to communicate the Paner of Subject Experts in terms of G.O.Ms.No.1 Edn., dated 01-01-1994 to recruit un-aided teachers by the petitioner/ school.

Counsel for the Petitioner: MR.S.V.BHATT

Counsel for the Respondent: GP FOR SCHOOL EDUCATION FOR R6.6.05,APP-1

The Court at the stage of admission made the following:

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ORDER:

This writ petition is filed by the petitioner aggrieved by the action of the respondent in not nominating one of the Deputy Education Officer to participate in the Selection Committee to fill up the unaided teacher posts in conformity with the Rules framed in G.O.Ms.No.1 Education dated 01-01-1994

2. According to the petitioner, the petitioner established a School in the year 1982 and the School was upgraded into Upper Primary School in the year 1985. Later, upgraded into High School in the year 1995. The School of the petitioner has got recognition from the Government. It is also stated that the school was also admitted to Grant-in-Aid and the Government sanctioned 12 aided posts i.e., 8 Upper Primary School Telugu Medium Posts and 4 posts of Primary School English Medium. As there was a down fall in the school strength, the management is surrendered 5 aided posts to the Government with persons and the same was accepted by the Government in Memo No.238/PS-1/2003-5 dated 16-09-2003. In view of the transfer of the aided posts along with the staff, there was a shortfall in the teaching members. Therefore, the petitioner proposed to recruit un-aided teachers in the place of surrendered posts and in order to comply the Rules for the selection of the un-aided teachers, the petitioner sought for permission of the respondent to send respondent's representative. According to the petitioner, the vacancies were also notified in the Telugu Newspapers calling for the applications, but for the inaction of the respondent, the selection process could not be completed. Hence, the present writ petition.

3 . Heard the learned counsel for the petitioner and the learned Government Pleader.

4 . In view of the Rules provided in G.O.Ms.No.1, the selection of the

teachers have to be made by a selection committee under which one of the member shall be the representative of the department. Therefore, the respondent is directed to depute his nominee to participate in the selection process of the un-aided teachers. The participation of the departmental member by itself would not entitle the petitioner to make any additional benefits such as claiming for Grant-in-aid or any other benefits.

5. Accordingly, the writ petition is disposed of. No order as to costs.

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S.ANANDA REDDY, J

23rd June, 2005

SKM

To

1 The District Educational Officer, Warangal District Subedhari,

Hanamkonda, Warangal

2 Two CCS to the G.P for School Education,

High Court Buildings, High Court of A.P.,

Hyderabad. (O.U.T.)

3 Two CD copies

*Form-NIC-OGS/WP{**TRT**}*